

Chairman

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PENNSYLVANIA GAMING CONTROL BOARD

P.O. BOX 69060

HARRISBURG, PENNSYLVANIA

17106-9060

MEETING MINUTES

WEDNESDAY, JUNE 12, 2019 – 10:00 a.m.

STRAWBERRY SQUARE COMPLEX, 2ND FLOOR, HARRISBURG

Commissioners

OBRA S. KERNODLE IV

SEAN LOGAN

KATHY M. MANDERINO

T. MARK MUSTIO

MERRITT C. REITZEL

DANTE SANTONI, JR.

Ex-Officio Members

C. DANIEL HASSELL

RUSSELL C. REDDING

JOSEPH M. TORSELLA

A meeting of the Pennsylvania Gaming Control Board was held at the Pennsylvania Gaming Control Board Office of Hearings and Appeals, Strawberry Square Complex, 2nd Floor, Harrisburg, PA.

MEMBERS OF THE BOARD:

David M. Barasch, Chairman

Obra S. Kernodle, IV

Sean Logan

Kathy M. Manderino

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Christin Heidingsfelder, Designee, Department of Revenue

Jennifer Langan, Designee, Pennsylvania Treasury

Fred Strathmeyer Jr., Designee, Department of Agriculture

PA GAMING CONTROL BOARD EXECUTIVE STAFF WHO APPEARED BEFORE THE BOARD:

Kevin O'Toole, Executive Director's Report

Kevin Kile, Director of Sports Wagering – Benchmark Report

Danette Bixler-George, Director, Human Resources – New Hires

R. Douglas Sherman, Chief Counsel – Petitions

Steve Cook, Deputy Chief Counsel – Withdrawals/Surrenders and Report and Recommendations

Susan Hensel, Director, Bureau of Licensing

Cyrus Pitre, Chief Enforcement Counsel – Enforcement Actions

Office of Enforcement Counsel – Also presenting:

Dustin Miller, Senior Enforcement Counsel

Assistant Enforcement Counsel: John Crohe, Benjamin Ferrell, Ashley Gabrielle, Sarah Kolesar, Thomas Monaghan and David Tepper

OTHER ATTENDEES FOR MEETING AND/OR HEARING(S):

SUGARHOUSE HSP GAMING, LP:

Rob Long, General Manager, SugarHouse Casino

Laura McAllister Cox, Esquire, Vice President of Regulatory Compliance, Rush Street Gaming

Joe Scibetta, Vice President of Development & Operations, Rush Street Gaming

MOUNTAINVIEW THOROUGHBRED RACING ASSOCIATION, LLC – HOLLYWOOD CASINO

MORGANTOWN:

John Finamore, Senior Vice President, Regional Operations

Adrian R. King, Jr., Esquire, Ballard Spahr, LLP
Chris Rogers, Senior Vice President, Corporate Development
Dan Ihm, Vice President & General Manager, Hollywood Casino at Penn National Race Course
Dan DiSario, Principal and Vice President, Langan Engineering and Environmental Services
Christopher K. Bauer, PE, PTOE, Associate & General Mgr., McMahon Transportation Engineers & Planners

CAERNARVON TOWNSHIP:

Allen Styer, Chairman of the Board of Supervisors
John Scalia, Chief of Police
Jack Hess, Board of Supervisors
Joan Bair, Township Administrator
Eric Brown, Esquire, Township Solicitor

MOUNT AIRY #1, LLC:

Michael Sklar, Esquire, representing Mount Airy
Todd Greenburg, General Manager & Chief Operating Officer, Mount Airy
Richard Whitby, Executive Director, Slot Operations, Mount Airy
William Downey, Esquire, Gaming Counsel, Stars Group
Bradley Fisher, Esquire, Regulatory Counsel, Stars Group

The following hearings were held prior to the regularly scheduled public meeting:

- Mountainview Thoroughbred Racing Association, LLC – Hollywood Casino Morgantown Category 4 License Award
- Mount Airy #1, LLC - Petition for the Issuance of a Sports Wagering Certificate

A quorum of the Board being present, Chairman Barasch called the meeting to order.

ANNOUNCEMENTS

The Chairman announced that the Board held an Executive Session on June 11th to discuss personnel matters and to conduct quasi-judicial deliberations relating to matters coming before the Board on June 12th. A brief Executive Session, following the public hearings, was held on June 12th prior to the commencement of the regularly scheduled Board meeting.

MINUTES/TRANSCRIPT

On a motion by Commissioner Manderino, seconded by Commissioner Mustio, the Board unanimously approved the minutes and transcripts of the March 6 and April 17, 2019 meetings.

EXECUTIVE DIRECTOR'S REPORT

Kevin O'Toole, Executive Director, briefly commented that staff is doing an outstanding job of implementing both retail sports wagering and online sports wagering. He stated that we are about 50% complete and continue to move forward. Mr. O'Toole stated that staff is utilizing the timelines of the casinos, so that we can accommodate their interest in renovating their properties in a way that is aesthetically-pleasing, as well as functional. On the topic of sports, he indicated that horse racing is still a very important sport. He then introduced Kevin Kile, Director of Sports Wagering, to give a summary of the current Benchmark Report.

Kevin Kile summarized the 12th annual Benchmark Report, which provides an update to detailed statistics, outlining the benefit slot machine gaming revenue provides for the horse racing industry. A copy of the report was provided to each Board member in advance of the meeting.

HUMAN RESOURCES**PGCB MOTION NO. 2019-177 HR****Motions:** 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board hereby approved the applicants for hire as follows:

- Sara Barr – Investigator, Bureau of Investigations and Enforcement
- Sean Dougherty – Forensic Accountant, Bureau of Investigations and Enforcement
- Jessica Gardner – Licensing Technician, Bureau of Licensing

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL**PGCB MOTION NO. 2019-178 OCC****Motions:** 1st–Board Member Logan / 2nd–Board Member Kernodle

The Board hereby approved **Mountainview Thoroughbred Racing Association, LLC's** Petition requesting a Waiver of Requirements (one-year prohibition) of PGCB Regulations in order to hire Joshua Neiswender as a Compliance Specialist.

Docket Number: 8491-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-179 OCC**Motions:** 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board hereby approved, with conditions, **Mount Airy #1, LLC's** Petition for the issuance of a Sports Wagering Certificate. Mount Airy shall pay the \$10 million authorization fee within 60 days of the Board's Order approving said Petition. I further move that Mount Airy #1, LLC's Motion for Confidentiality be granted, in part, and denied, in part. The Board directed Mount Airy, by way of the Board Order, to immediately file a revised public version of the Petition. *(a list of conditions can be found on the Board's Order)*

Docket Number: 8390-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-180 OCC**Motions:** 1st–Board Member Santoni / 2nd–Board Member Kernodle

The Board hereby approved, with conditions to be outlined in the Board Order, **Fastball Holdings, LLC's** Petition for Waiver of the Qualification Requirement of Certain Entities. I further move that Fastball Holdings' request for confidentiality be granted. *(a list of conditions can be found on the Board's Order)*

Docket Number: 8340-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-181 OCC**Motions:** 1st–Board Member Kernodle / 2nd–Board Member Logan

The Board hereby approved, with conditions, **Angel Holdings Godo Kaisha's** Petition for Approval of Transfer of Ownership Interest in connection with the acquisition of Gaming Partners International Corporation. I further move that the request for confidentiality be granted. The Board directed the Office of Enforcement Counsel to file a new redacted Public version of its Answer and New Matter consistent with the Board's Order. *(a list of conditions can be found on the Board's Order)*

Docket Number: 8402-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-182 OCC**Motions:** 1st–Board Member Logan / 2nd–Board Member Manderino

The Board hereby approved the Petition of **American Gaming & Electronics, Inc.** to Transfer its Supplier License to AG&E Holdings, Inc.

Docket Number: 8309 -2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-183 OCC**Motions:** 1st–Board Member Manderino / 2nd–Board Member Mustio

The Board hereby approved, effective 15 days from the date of the Order, **Daryl Hawkins'** Petition for Removal from the PGCB Involuntary Exclusion List.

Docket Number: 4026-2015

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-184 OCC**Motions:** 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board hereby approved **JianChu Xu's** Petition for reconsideration of Placement on the PGCB Involuntary Exclusion List and that the matter be returned to the Office of Hearings and Appeals for an evidentiary hearing. Additionally, the Board hereby orders that JianChu Xu's name be removed from the PGCB Involuntary Exclusion List

Docket Number: 8239-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-185 OCC**Motions:** 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board hereby approved **Alvin Siler, Jr.'s** Petition for reconsideration of Placement on the PGCB Involuntary Exclusion List and that the matter be returned to the Office of Hearings and Appeals for an evidentiary hearing. Additionally, the Board hereby orders that Alvin Siler, Jr.'s name be removed from the PGCB Involuntary Exclusion List

Docket Number: 8093-2018

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-186 OCC**Motions:** 1st–Board Member Santoni / 2nd–Board Member Kernodle

The Board approved the following **withdrawals/surrenders** as follows:

- Metz Concepts, LLC d/b/a Wolfgang Puck Express – Withdraw Gaming Service Provider Certification Application; **8417-2019**
- James Leroy Cunningham, III – Surrender Principal License; **8430-2019**
- Maria Hedengren and Jenny Rosberg – Withdraw Principal License Applications; **8450/8451-2019**
- David Soutar Lowden – Withdraw Principal License Application; **8454-2019**
- Fredrik Ekdahl – Surrender Conditional Principal License; **8461-2019**
- Mark Paul Frissora – Surrender Principal License; **8460-2019**
- Absolute Cleaning Systems – Withdraw Gaming Service Provider Registration Application; **8445-2019**
- Management Enterprises LLC, Management Enterprises Holdings, LLC, MEH Manager, Inc. – Withdraw of Affiliate License Applications; **8446-2019 to 8448-2019**
- Kyotaro Morihisa – Withdraw Principal License Application; **8455-2019**

Petition 1 - Chester Downs and Marina, LLC – Surrender the Licenses of the following:

Principal Licenses; 8406-2019 to 8410-2019

- David Bonderman

- Joshua Harris
- Leon Black
- Marc J. Rowan
- James G. Coulter

Affiliate Licensee; 8504-2019

- Hamlet Holdings, LLC

Principal Entity Licenses; 8505-2019 to 8510-2019

- Apollo Hamlet Holdings B, LLC
- Apollo Hamlet Holdings, LLC
- Co-Invest Hamlet Holding B, LLC
- Co-Invest Hamlet Holdings, Series LLC
- TPG Hamlet Holdings B, LLC
- TPG Hamlet Holdings, LLC

Petition 2 - Chester Downs and Marina, LLC – Surrender the Licenses of the following:

Principal Licenses; 8411-2019 to 8414-2019

- Christopher J. Williams
- John M. Boushy
- Matthew James Ferko
- David Benjamin Sambur

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-187 OCC

Motions: 1st–Board Member Kernodle / 2nd–Board Member Logan

The Board adopted the Report and Recommendation of the Office of Hearings and Appeals, in result, which recommended **Robert McClendon** be placed on the PGCB Involuntary Exclusion List. Exhibits which contain confidential information shall be redacted or sealed from public view.

Docket Number: 7793-2018

Board Decision: Passed by unanimous vote

D.C. – Petition for Removal from the PGCB Voluntary Self-Exclusion List; (OHA #8047-2018) – **Removed from Agenda.**

PGCB MOTION NO. 2019-188 OCC

Motions: 1st–Board Member Manderino / 2nd–Board Member Mustio

The Board adopted the Report and Recommendation of the Office of Hearings and Appeals which recommends that **K.T.’s** Petition for Removal from the Voluntary Self-Exclusion List be denied. This matter contains confidential Exhibits which shall be sealed or redacted from public view.

Docket Number: 8064-2018

Board Decision: Passed by unanimous vote

MARISSA TANSMORE – Gaming Employee Occupation Permit; (OHA #8211-2019) – **Removed from Agenda.**

BUREAU OF LICENSING

PGCB MOTION NO. 2019-189 BOL

Motions: 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board awarded the Category 4 Slot Machine License to Mountainview Thoroughbred Racing Association, LLC d/b/a Hollywood Casino Morgantown.

Docket Number: 112430

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-190 BOL**Motions:** 1st—Board Member Santoni / 2nd—Board Member Kernodle

The Board granted a Conditional Interactive Gaming Manufacturer License to **Spin Games, LLC**. Spin Games shall pay a \$10,000 license fee within ten days of being notified by the Board. The following principals submitted applications and all applicable fees for licensure in conjunction with this application:

- Erin Lea Kovnot - Docket #114564
- Jessica Ezra Lanceras Malihan- Docket #114570
- Kunal Mishra- Docket #114571
- William Raple Cunningham Docket #29320
- Kent Bradley Young Docket #41677
- Christina Marlene Stoever-Young - Docket # 115460
- Kent B. Young Revocable Trust Docket #115461
- Arunachalam Yegappan - Docket # 11564 7

Docket Number: 114517-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-191 BOL**Motions:** 1st—Board Member Mustio / 2nd—Board Member Manderino

The Board granted a Conditional Sports Wagering Manufacturer License to **KT Group Limited**. KT Group Limited shall pay a \$10,000 license fee within ten days of being notified by the Board. The following principals submitted applications and all applicable fees for licensure in conjunction with this application:

- Kenneth Stig Larson-Docket #116259-1
- Cui Liangming- Docket #116334-1
- Steven Jones -Docket #116613-1-1

Docket Number: 116252

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-192 BOL**Motions:** 1st—Board Member Mustio / 2nd—Board Member Reitzel

The Board granted a Video Gaming Terminal Establishment License to **C H R Corp., d/b/a Rutter's Store #37**. The following principals submitted applications and all applicable fees for licensure in conjunction with this application:

- C H R Corp., d/b/a Rutter- Docket #111794-1
- Rutter's Holdings, Inc. Docket #112047-1
- Terrence S. Hartman - Docket #111777-1
- Todd M. Rutter Docket #111778-1
- Tim L. Rutter Docket #111774-1
- Scott E. Hartman - Docket # 111772-1
- Christopher J. Reed Docket #111779-1
- Brian D. Roadarmel Docket #111780-1
- Jere D. Matthews -Docket #111781-1
- Robert W. Perkins -Docket #111783-1

Docket Number: 111794-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-193 BOL**Motions:** 1st—Board Member Kernodle / 2nd—Board Member Logan

The Board granted Conditional Video Gaming Terminal Establishment Licenses as follows:

- SNYDER'S GATEWAY, INC. DBA: GATEWAY TRAVEL PLAZA
- UNITED REFINING COMPANY OF PENNSYLVANIA, DBA: COUNTRY FAIR #36
- UNITED REFINING COMPANY OF PENNSYLVANIA, DBA: COUNTRY FAIR #71
- UNITED REFINING COMPANY OF PENNSYLVANIA, DBA: KWIK FILL #200

Each entity shall pay a \$1,250 license fee and any other outstanding fees within ten days of Board notification.

Board Decision: Passed by unanimous vote

MOTION NO. 2019-194 BOL

Motions: 1st–Board Member Logan / 2nd–Board Member Manderino

The Board approved 6 **Key Employee Licenses** and 10 **Principal Affiliates**:

Chester Downs and Marina, LLC

VICI Properties, Inc.

Principal Employees

Initial

- Eugene Irwin Davis, Chairman of Audit Committee – Board of Directors – Docket #11929-1
- Edward Baltazar Pitoniak, CEO & Director – Docket #110412-1
- Samantha Sacks Gallagher, Executive Vice President, General Counsel and Secretary – Docket #110252-1
- Diana Fine Cantor, Independent Director & Member of the Audit Committee – Docket #110373-1
- Gabriel Feuerstadt Wasserman, Senior Vice President and Chief Accounting Officer – Docket #110249-1
- John W.R. Payne, President & COO of VICI Properties, Inc. – Docket #8613-4
- David Andrew Kieske, CFO & Treasurer – Docket #110711-1
- Elizabeth Ida Holland, Director & Audit Committee Member – Docket #111918-1
- Eric Littman Hausler, Director and Audit & Finance Committee Member – Docket #4051-3
- James Robert Abrahamson, Chairman of the Board – Docket #110752-1

Key Employee

Initial

- Joshua Arron Coleman, Lead Internal Auditor – Docket #91375-3

Downs Racing, LP

Key Employees

Initial

- Gary Dewitt, Jr., Assistant General Manager – Docket #102688-2
- Mark Zuczek, Procurement Manager – Docket #109899-1

Mountainview Thoroughbred Racing Association, LLC

Key Employee

Initial

- Douglas McLaughlin, Director of Human Resources – Docket #108603-1

Valley Forge Convention Center Partners, LLC

Key Employee

Initial

- Pamela Andraka, Director of Internal Audit – Docket #95538-2

Washington Trotting Association, Inc.

Key Employee

Initial

- Kendra Marie Stronach, Vice President of Finance – Docket #103062-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-195 BOL

Motions: 1st–Board Member Manderino / 2nd–Board Member Mustio

The Board approved the issuance of 10 **Temporary Principal** and 12 **Temporary Key Employee Credentials**. (Note: information pertaining to the names of these individuals can be found in the Order.)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-196 BOL**Motions:** 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board approved the issuance of 472 (99 G2 full permits, 161 initial, 121 renewals and 91 temporary G2) **Gaming Employee Occupation Permits** and 116 **Non-Gaming Employee Registrations**.

(Note: information pertaining to the names of these individuals can be found in the Order.)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-197 BOL**Motions:** 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board approved the Application **denials** for 4 Gaming Employee Occupation Permits as follows:

Gaming Employees

Devita Austin - #83476-3

Elliot Tucker, Jr. - #54061-5 (G-2)

Jhalak Chuwan - #93917-2

Jessica Mroz - #110963-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-198 BOL**Motions:** 1st–Board Member Santoni / 2nd–Board Member Kernodle

The Board approved the **Withdrawal** of (1) Key and (10) Gaming Employee Applications. (Note: information pertaining to the names of these individuals can be found in the Order.)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-199 BOL**Motions:** 1st–Board Member Kernodle / 2nd–Board Member Logan

The Board approved the applications for **Gaming Service Provider Certification** as follows:

- The Marshall Retail Group, LLC d/b/a Marshall Rousso, Ruby Blue - RENEWAL
- Aristotle International, Inc. d/b/a: Aristotle Integrity – CERT. IGAMING GSP

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-200 BOL**Motions:** 1st–Board Member Logan / 2nd–Board Member Manderino

The Board approved the applications for **Gaming Service Provider Registration** as follows:

- Magothy Technology, LLC
- Rau Consulting LLC, DBA: Payment Grinders

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL**PGCB MOTION NO. 2019-201 OEC****Motions:** 1st–Board Member Manderino / 2nd–Board Member Mustio

The Board hereby approved the revocation of **Caitlin Conway's** Gaming Employee Occupation Permit.

Docket Number: 8094-2018

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-202 OEC**Motions:** 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board hereby approved the revocation of **Matthew Doyle's** Non-Gaming Employee Registration.

Docket Number: 8318-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-203 OEC**Motions:** 1st–Board Member Reitzel / 2nd–Board Member SantoniThe Board hereby approved the revocation of **Theodore Sepkoski's** Non-Gaming Employee Registration.

Docket Number: 8316-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-204 OEC**Motions:** 1st–Board Member Santoni / 2nd–Board Member KernodleThe Board hereby approved the revocation of **Johnny Yang's** Gaming Employee Occupation Permit.

Docket Number: 8343-2019

Board Decision: Passed by unanimous vote

The Board approved the following placements on the PGCB Involuntary Exclusion List:

MOTION #	RESPONDENT	DOCKET #-2018-19	FIRST	SECOND	BOARD DECISION	CAN PETITION TO BE REMOVED ON /notes
2019-205 OEC	Dean Giacomantoni	8306-2019	Kernodle	Logan	Unanimous	
2019-206 OEC	Julia Jones	8108-2018	Logan	Manderino	Unanimous	
2019-207 OEC	Tony Vo	8265-2019	Manderino	Mustio	Unanimous	
2019-208 OEC	Larry Harber	8387-2019	Mustio	Reitzel	Unanimous	
2019-209 OEC	Rose Melina	8375-2019	Reitzel	Santoni	Unanimous	OEC's Petition to Place Respondent on Exclusion List was denied.
2019-210 OEC	Kirk Curilla	7837-2018	Santoni	Kernodle	Unanimous	
2019-211 OEC	Jason McDermott	8088-2018	Kernodle	Logan	Unanimous	Grants OEC's Petition in part, Placement approved.
2019-212 OEC	Jesse A. Robinson, Jr.	8368-2019	Logan	Manderino	Unanimous	

PUBLIC COMMENT

There were no registered speakers.

ADJOURNMENT

On a motion by Board Member Manderino, seconded by Board Member Mustio, the meeting was adjourned.